

Committee Room,
Austin, Texas, May 25, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Committee on Finance, to whom was referred

House bill No. 848, being a bill to be entitled "An Act to amend Article 5066, Title CIV, Chapter 2, Revised Civil Statutes, relating to the rendition, listing and assessment of property for taxation,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do* pass, and the committee recommend that the bill be not printed.

DIBRELL, Chairman.

The Chair laid before the Senate, House bill No. 323 (industrial school bill), action being on final passage.

Pending action, on motion of Senator Hanger, the Senate took a recess until 3 p. m.

AFTER RECESS.

At 3 p. m., Thursday, May 25, 1899, the Senate was called to order by Lieutenant-Governor Browning.

PENDING BUSINESS.

The Chair laid before the Senate,

House bill No. 323 (industrial school bill), action being on final passage.

On motion of Senator Wayland, pending business was suspended to take up, on second reading,

House bill No. 443, A bill to be entitled "An Act to provide for the payment of the bonds of the State of Texas that mature April 21, 1899, and to appropriate \$2630 for that purpose, and to provide a sinking fund for the payment of the bonds of the State of Texas, held by private individuals, that mature March 4, 1904, and April 21, 1909, and provide for the appropriation of \$25,000 August 31, 1899, and \$25,000 August 31, 1900, and provide for the investment of a sinking fund, and constitute a board for that purpose."

The bill was read a second time, and passed to a third reading.

On motion of Senator Greer, the pending business was suspended, and the Senate proceeded to the election of a President Pro Tem. of the Twenty-sixth Senate.

Senator Greer nominated for President Pro Tem., Senator W. W. Turney of El Paso.

The nomination was seconded by Senators Dibrell and Potter, and Senator

Turney was unanimously elected by a rising vote.

BILL SIGNED.

The Chair gave notice of signing, and did sign, in the presence of the Senate, after its caption had been read,

Senate bill No. 320, "An Act requiring the county commissioners court of any county, or city council of any incorporated city or town in the State, to submit propositions for the issuance of bonds to a vote of the qualified tax-payers of such county, or incorporated city or town, and to repeal the provisions of all city and town charters in conflict herewith."

On motion of Senator Lewis, pending business was suspended to take up, on second reading,

House bill No. 647, A bill to be entitled "An Act to amend Article 873 (983), Title XXV, of the Revised Civil Statutes of the State of Texas, and to repeal all laws and parts of laws in conflict therewith."

The bill was read a second time, and passed to a third reading.

COMMITTEE REPORT.

Committee Room,
Austin, Texas, May 23, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 353, being a bill to be entitled "An Act to prohibit gambling in cotton and other agricultural products, and to prevent conspiracies against trade, and to affix penalties upon those who engage therein."

And find the same correctly engrossed.

JAMES, Chairman.

On motion of Senator Hanger, the Senate took a recess until 10 a. m. tomorrow.

NINETY-FIRST DAY.

(CONTINUED.)

Senate Chamber,
Austin, Texas, Friday, May 26, 1899.

AFTER RECESS.

The Senate was called to order promptly at 10 a. m. by Lieutenant-Governor Browning.

PENDING BUSINESS.

The Chair laid before the Senate, House bill No. 323 (industrial school bill), action being on final passage.

On motion of Senator Wayland, pending business was suspended to take up, on third reading.

House bill No. 847, A bill to be entitled "An Act to amend Article 5001, Chapter 5, Title CII, of the Revised Civil Statutes of the State of Texas of 1895, relating to stock laws."

The bill was read a third time, and passed.

On motion of Senator Burns, the pending business was suspended to take up, on third reading.

Senate bill No. 353, A bill to be entitled "An Act to prohibit gambling in cotton and other agricultural products, and to prevent conspiracies against trade, and to affix penalties upon those who engage therein."

The bill was read a third time, and passed.

On motion of Senator Johnson, the pending business was suspended to take up, on third reading.

House bill No. 848, A bill to be entitled "An Act to amend Article 5066, Title CIV, Chapter 2, Revised Civil Statutes, relating to the rendition, listing and assessment of property for taxation."

The bill was read a second time, and passed to a third reading.

On motion of Senator Lewis, the pending business was suspended to take up, on third reading.

House bill No. 97, A bill to be entitled "An Act to protect workingmen in the right of organization, and the purpose thereof."

The bill was read a third time.

By Senator Kerr:

"Amend page 1 by striking out Section 2."

By Senator Lewis:

"Substitute for the amendment:

"Amend by adding to Section 2 the following, 'provided, that such member or members shall not have the right to invade or trespass upon the premises of another without the consent of the owner thereof.'"

Adopted.

The amendment as substituted was adopted.

The bill as amended was passed.

CALLED UP FOR CONCURRENCE.

Senator Dibrell called up

Senate bill No. 198, A bill to be entitled "An Act to authorize the Railroad Commission of Texas to charge fees for all copies of papers in its office, except such as may be furnished to some department of the State government, and to prescribe the amount of such fees," which had passed the House with amendments, and

moved that the Senate concur in said amendments.

Concurred.

HOUSE MESSAGES.

The following messages from the House were received:

Hall of the House of Representatives,
Austin, Texas, May 26, 1899.

Hon. Jas. N. Browning, President of the Senate.

I am directed by the House to inform the Senate that the House has adopted the Free Conference Committee report on Senate bill No. 175.

Respectfully,

LEE J. ROUNTREE,

Chief Clerk House of Representatives.

Hall of the House of Representatives,
Austin, Texas, May 26, 1899.

Hon. Jas. N. Browning, President of the Senate.

I am directed by the House to inform the Senate of the passage of the following bill:

Senate bill No. 286, A bill to be entitled "An Act to fix and define the limitation of time wherein suits for taxes may be brought, and to declare that taxes for the recovery of which suit is not brought within such time shall be conclusively presumed to have been paid, and to forbid any action therefor, and to repeal all laws and parts of laws in conflict herewith."

Respectfully,

LEE J. ROUNTREE,

Chief Clerk House of Representatives.

Hall of the House of Representatives,
Austin, Texas, May 26, 1899.

Hon. Jas. N. Browning, President of the Senate.

I am directed by the House to inform the Senate that the House has concurred in Senate amendments to House bill No. 97.

Respectfully,

LEE J. ROUNTREE,

Chief Clerk House of Representatives.

Hall of the House of Representatives,
Austin, Texas, May 26, 1899.

Hon. Jas. N. Browning, President of the Senate.

I am directed by the House to inform the Senate of the passage of the following bills:

House bill No. 842, A bill to be entitled "An Act to provide for the removal and re-interment of the remains of Stephen F. Austin, 'The Father of Texas,' and of his sister, Emily Austin Perry; to make

an appropriation therefor, and to authorize the Governor to carry out said purpose."

Also Senate bill No. 165. A bill to be entitled "An Act to authorize the Superintendent of the State Penitentiaries, with the advice and consent of the Governor, to sell the State's interest in certain lands situated in Maverick county, being an undivided interest of two-thirds in 320 acres of Survey No. 50, in the name of John James, assignee of Hendrick Arnold, and to pay over the proceeds thereof to the Financial Agent of the State Penitentiaries, for the use of the penitentiaries."

Respectfully,

LEE J. ROUNTREE,

Chief Clerk House of Representatives.

IN SENATE.

The above reported House bill No. 842 was read first time, and referred to the Committee on State Affairs.

BILLS SIGNED.

The Chair gave notice of signing, and did sign, in the presence of the Senate, after their captions had been read,

House bill No. 135, "An Act to amend Article 788, Chapter 3, of the Penal Code of the State of Texas, relating to the use of animals without the consent of the owner."

House bill No. 483, "An Act to amend Article 3938, Chapter 10, Title LXXXVI, of the Revised Civil Statutes of the State of Texas of 1895, relating to school districts."

House bill No. 824, "An Act to amend Article 4785a, Chapter 6, Title XCVII, of the Revised Civil Statutes of the State of Texas."

House bill No. 517, "An Act granting permission to W. H. Owen to bring suit against the State of Texas in the District Court of Travis county to ascertain and determine the amount, if any, due him for allowance as quartermaster and commissary of the frontier battalion from the 1st day of April, 1895, to the 1st day of February, 1899, for his traveling expenses and other contingent expenses."

House bill No. 713, "An Act to amend Article 166 and Article 170, Chapter 2, Title IX, of the Revised Civil Statutes of the State of Texas."

House bill No. 703, "An Act to amend Section 1 of an Act of the Twenty-fifth Legislature of the State of Texas, approved April 5, 1897, to enable the Railroad Commission of Texas to make emergency freight rates to prevent the evil effects of interstate rate wars upon the business and interests of the people and railroads of this State."

House bill No. 572, "An Act to amend Article 148, Chapter 2, Revised Civil Statutes of the State of Texas, relative to the payment for construction or improvement of State asylums."

House bill No. 820, "An Act to prevent and punish celebration of marriages without license."

House Concurrent Resolution No. 35. To empower the Superintendent of Public Buildings and Grounds to cancel and annul the contract now in force between the City of Austin and the Dam and Suburban Railway Company."

On motion of Senator Goss, the regular order of business was suspended to take up, on third reading,

House bill No. 829, A bill to be entitled "An Act to diminish the jurisdiction of the County Court of Carson county, and to conform the jurisdiction of the district court of said county to said change."

The bill was read a third time, and passed.

(Senator Burns in the chair.)

On motion of Senator Miller, the regular order of business was suspended to take up, on second reading,

Senate bill No. 362, A bill to be entitled "An Act to repeal an act of the present Legislature, entitled 'An Act to consolidate Soule University of Chappell Hill, Washington county, Texas, and Chappell Hill Female College of the same place, under the name of the Chappell Hill Female College, and to incorporate Chappell Hill Female College, and define its powers and duties, and declaring an emergency.'"

The bill was read a second time, and failed on engrossment.

RESOLUTION.

By Senator Dibrell:

Concurrent Resolution No. 29. A concurrent Resolution to declare the intention of the Legislature in making appropriations for the superintendents and other employes connected with the State Orphan Asylum, State Lunatic Asylum, the North Texas Insane Asylum, the Southwestern Insane Asylum, the Blind Asylum, the Deaf and Dumb Asylum, the House of Correction and Reformatory, the Confederate Home, the Deaf and Dumb and Blind Asylum for colored, declaring the intention of the Legislature, making appropriations therefor, in Substitute House bill No. 111.

Be it resolved by the Legislature of the State of Texas, That whereas, Substitute House bill No. 111, which is entitled "An Act to make appropriations for the support of the State government for the two years beginning March 1, 1889, and ending February 28, 1901, and for other pur-

poses," which has been passed by the present Legislature, and in said appropriation bill some question may arise in the construction of Section 2 thereof in connection with the various appropriations in Section 1 as to whether or not it was the intention of the present Legislature that the appropriations made for the superintendents and other employes connected with the State Orphan Asylum, the State Lunatic Asylum, the North Texas Insane Asylum, the Southwestern Insane Asylum, the Blind Asylum, the Deaf and Dumb Asylum, the House of Correction and Reformatory, the Confederate Home, the Deaf and Dumb and Blind Asylum for colored, as to the intention in making said appropriations on the proposition as to whether or not the heads and other employes of said institutions are permitted in addition to the appropriations made in said bill for their salary, to receive their board for themselves and families out of the appropriation made for the support and maintenance of said institutions, it is hereby declared to be the intention of the present Legislature in the passage of said bill that wherever the Legislature intended in said bill that they should not receive board, the same is expressly stated in said appropriation bill, and where it is not stated in said appropriation bill that their salary is without board, it was and is the intention of the Legislature that under the direction of the board of trustees or managers of said various institutions, they may be permitted to receive board for themselves and families out of the appropriations made for the support and maintenance of said institutions.

The resolution was read, and Adopted.

(Lieutenant-Governor Browning in the chair.)

BILLS SIGNED.

The Chair gave notice of signing, and did sign, in the presence of the Senate, after their captions had been read,

Senate bill No. 165, "An Act to authorize the Superintendent of the State Penitentiaries with the advice and consent of the Governor, to sell the State's interest in certain lands situated in Maverick county, being an undivided interest of two-thirds in 320 acres, Survey No. 50, in the name of John James, assignee of Hendrick Arnold, and to pay over the proceeds thereof to the Financial Agent of the State Penitentiaries for the use of the penitentiaries."

Senate bill No. 286, "An Act to fix and define the limitation of time wherein suits for taxes may be brought, and to

declare that taxes for the recovery of which suit is not brought within such time shall be conclusively presumed to have been paid, and to forbid any action therefor, and to repeal all laws and parts of laws in conflict herewith."

Substitute House bill No. 111, "An Act making appropriations for the support of the State government for the years beginning March 1, 1899, and ending February 28, 1901, and for other purposes."

Senate bill No. 198, "An Act to authorize the Railroad Commission of Texas to charge fees for all copies of papers in its office, except such as may be furnished to some department of the State government and to prescribe the amount of such fees."

On motion of Senator Burns, pending business was suspended to take up, on third reading,

Substitute House bill No. 379, A bill to be entitled "An Act to amend Articles 3886 and 3887, of Chapter 5, of Title LXXXVI, of the Revised Statutes of the State of Texas, relating to the normal school for colored teachers at Prairie View."

The bill was read a third time, and passed.

On motion of Senator Wayland, the pending business was suspended to take up, on third reading,

House bill No. 443, A bill to be entitled "An Act to provide for the payment of the bonds of the State of Texas that mature April 21, 1899, and to appropriate \$2630 for that purpose, and to provide a sinking fund for the payment of the bonds of the State of Texas, held by private individuals, that mature March 4, 1904, and April 21, 1909, and provide for the appropriation of \$25,000 August 31, 1899, and \$25,000 August 31, 1900, and provide for the investment of a sinking fund, and constitute a board for that purpose."

The bill was read a third time, and passed.

On motion of Senator James, pending business was suspended to take up, on third reading,

House bill No. 159, A bill to be entitled "An Act to amend Article 4934, Title CII, Chapter 2, of the Revised Civil Statutes of the State of Texas, relating to the protection of live stock."

The bill was read a third time, and passed.

On motion of Senator Lewis, the regular order of business was suspended to take up, on third reading,

House bill No. 647, A bill to be entitled "An Act to amend Article 873 (983), Title XXV, of the Revised Civil Statutes

of the State of Texas, and to repeal all laws and parts of laws in conflict therewith."

The bill was read a third time, and passed.

On motion of Senator Dibrell, the pending business was suspended to take up

Senate bill No. 199 (convict parole bill).

Pending action, on motion of Senator Patterson, consideration of the bill was postponed until June 4, 1899.

Senator Lloyd called up

House Concurrent Resolution No. 61 (providing for sine die adjournment of the Twenty-sixth Legislature) which was read, and Senator Patterson moved its adoption.

Carried.

Senator Lloyd moved to reconsider the vote by which the resolution was adopted, and to lay that motion on the table.

Tabled.

RESOLUTION.

By Senator Dibrell:

Resolved, That the Senate endorse and commend the newspaper and press correspondents, Will M. Thornton, for Galveston-Dallas News, Houston Post, San Antonio Express and Austin Statesman, and Jack A. Fernandez, for Waco Times-Herald, Fort Worth Register and Austin Evening News, who have been in attendance upon this Senate reporting the proceedings of the same, for their full, faithful and impartial reports of the proceedings of the Senate.

The resolution was read, and adopted.

COMMITTEE REPORTS.

Committee Room,

Austin, Texas, May 26, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Committee on Enrolled Bills have carefully examined and compared

Senate bill No. 320, being a bill to be entitled "An Act requiring the county commissioners court of any county or city council of any incorporated city or town in the State to submit propositions for the issuance of bonds to a vote of the qualified tax-payers of such county or incorporated city or town, and to repeal the provisions of all city and town charters in conflict herewith,"

And find the same correctly enrolled, and have this day, at 11 a. m., presented the same to the Governor for his approval.

GRINNAN, Chairman.

Committee Room,

Austin, Texas, May 26, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Committee on Enrolled Bills have carefully examined and compared

Senate bill No. 165, being a bill to be entitled "An Act to authorize the Superintendent of the State Penitentiaries, with the advice and consent of the Governor, to sell the State's interest in certain lands situated in Maverick county, being an undivided interest of two-thirds in 320 acres, Survey No. 50, in the name of John James, assignee of Hendrick Arnold, and to pay over the proceeds thereof to the Financial Agent of the State Penitentiaries for the use of the penitentiaries,"

And find the same correctly enrolled, and have this day, at 11:30 a. m., presented the same to the Governor for his approval.

GRINNAN, Chairman.

Committee Room,

Austin, Texas, May 26, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Committee on Enrolled Bills have carefully examined and compared

Senate bill No. 198, being a bill to be entitled "An Act to authorize the Railroad Commission of Texas to charge fees for all copies of papers in its office, except such as may be furnished to some department of the State government, and to prescribe the amount of such fees,"

And find the same correctly enrolled, and have this day, at 11:30 a. m., presented the same to the Governor for his approval.

GRINNAN, Chairman.

Senator Miller moved to reconsider the vote by which Senate bill No. 362 (see above) was lost.

Pending action, Senator Patterson moved to take a recess until 3 p. m.

Senator Lloyd moved to take a recess until 10 a. m. tomorrow.

Lost.

The Senate then took a recess until 3 p. m.

AFTER RECESS.

At 3 p. m., Friday, May 26, 1899, the Senate was called to order by Lieutenant-Governor Browning.

PENDING BUSINESS.

The Chair laid before the Senate, House bill No. 323 (industrial school bill), action being on final passage.

Pending action, on motion of Senator Hanger, the Senate stood at ease for fifteen minutes.

AFTER EASE.

HOUSE MESSAGE.

The following message from the House was received:

Hall of the House of Representatives,
Austin, Texas, May 26, 1899.

Hon. Jas. N. Browning, President of the Senate.

I am directed by the House to inform the Senate of the passage of the following resolution:

House Concurrent Resolution No. 64, Providing for the appointment of a committee to inform the Governor of the time set for sine die adjournment, and Messrs. Bailey, Prince and Childs were appointed on the part of the House.

Respectfully,

LEE J. ROUNTREE,

Chief Clerk House of Representatives.

The Chair laid before the Senate, House Concurrent Resolution No. 64 (see above).

The resolution was read and adopted, and the Chair appointed as committee on part of the Senate, Senators Stafford, Wayland and Kerr.

COMMITTEE REPORTS.

Committee Room,
Austin, Texas, May 26, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Committee on Enrolled Bills have carefully examined and compared

Senate bill No. 286, being a bill to be entitled "An Act to fix and define the limitation of time wherein suits for taxes may be brought, and to declare that taxes for the recovery of which suit is not brought within such time shall be conclusively presumed to have been paid, and to forbid any action therefor, and to repeal all laws and parts of laws in conflict herewith,"

And find the same correctly enrolled, and have this day, at 3 p. m., presented the same to the Governor for his approval.

GRINNAN, Chairman.

Senator Lewis securing the floor, yielded to Assistant Secretary D. A.

Walker, who, on the part of the officers and employes of the Senate, presented an elegant gold headed cane to Lieutenant-Governor Browning, and in doing so, said:

Governor Browning.

I have been selected by your friends and my co-employes of the Senate of the Twenty-sixth Legislature to present to you this cane as a loving token of our appreciation of your universal kindness and courtesy to each and every one of us.

The value of the gift is in no way intended to compare with the high esteem in which you are held by us, but simply as an outward token of the inward feeling of our hearts for you.

We appreciate your efficient service as a presiding officer, it is true, but above and beyond every other consideration, your gentlemanly bearing and kindly interest in each and every employe, whom it is my pleasure to represent. And we ask that you accept this slight offering, and hope that the fires on the altar of friendship will never grow dim by time, but undiminished they will burn brightly until night is merged into perfect day.

You are the friend of us all, you are and should be our exemplar, and when the night of death kisses away the ills of life, may your good name rise up like a monument that succeeding generations may emulate your example.

In the chair, in the Senate chamber, or on the streets, you are all that makes a manly man—God's noblest and highest work. And neither by position nor circumstance has vanity overridden your generous disposition, nor egotism marred your kindly heart.

May God bless and keep you and yours, and may you always live in the lives of others as you will live in the hearts of those whom I have the honor to represent.

Governor Browning accepted the cane in a short but feeling speech of thanks.

Senator Hanger, being recognized, yielded the floor to Assistant Journal Clerk Thomas H. Napier, who, on behalf of the officers and employes of the Senate, presented an elegant gold headed cane to President Pro Tem. R. N. Stafford, and in doing so, said:

Senator Stafford.

I have been delegated by my fellow officers to perform the pleasant duty of presenting you with this cane, and as I have been intimately associated with you both politically and socially for years, I feel it an additional honor that our mutual friends outside of your district have recognized and appreciated

your many sterling qualities, and that I am their messenger to convey to you this sentiment of their love and esteem. In by-gone years you have not only been my friend, but your heart has beat in friendly unison and sympathy with the aspirations of the young manhood of Texas.

As President Pro Tem. of this body, it is needless for me to dwell on the esteem in which you are held by the officers and employes. Uniformly courteous and kind, you have won the confidence and esteem of your senatorial associates as well as the loyal friendship of those who have served with you in the several capacities of this body.

Take this, and in coming years, when surrounded by loved ones at home, and when an occasional thought reverts to us, may it be one of your sweetest memories.

Senator Stafford, in accepting the gift, spoke as follows:

Mr. Napier and Other Employes of the Senate of the Twenty-sixth Legislature.

I accept with thanks this kind token of appreciation and regard. My association with each and every one of you has been exceedingly pleasant, and there has not been one unpleasant incident connected therewith. No legislative body has ever had a more competent, industrious and courteous corps of officers, each and all of you seeming to vie with each other in the faithful and efficient performance of your duties.

Man at his best is a social creature, and he who is most careful in rendering himself pleasant and agreeable to his associates is the most perfect type of manhood. Not by wiles, flattery and sycophancy, but from a truthful reflection of an honest, kind and sincere heart.

I need not this reminder of your esteem, for each of you have in many ways, and on all occasions, given me ample assurance of your affection. All lives are checkered with sunshine and with shade, with smiles and with tears, but in whatever condition my future life may be cast I shall always recall each of you with pleasure, and wish for each of you prosperity and happiness.

I need not attempt to say more, for I am not the first to discover how empty are words to express the deeper emotions of the soul. I can only say to you and through you to the other employes, one and all, I thank you.

RESOLUTION.

By Senator Lewis:

Be it resolved by the Senate, That the

Superintendent of Public Buildings and Grounds be and he is hereby authorized to hang in the Senate Chamber, in an appropriate place, the picture of the Senate of the Twenty-sixth Legislature.

The resolution was read, and adopted.

Senator Dibrell moved to reconsider the vote by which the Senate this morning postponed Senate bill No. 199 (convict parole bill) to June 4, 1899.

Carried.

The bill was then read a third time, and passed.

On motion of Senator Hanger, the Senate took a recess until 10 a. m. tomorrow.

NINETY-FIRST DAY.

(CONTINUED.)

Senate Chamber,
Austin, Texas, Saturday, May 27, 1899.

AFTER RECESS.

The Senate was called to order promptly at 10 a. m. by Lieutenant-Governor Browning.

PENDING BUSINESS.

The Chair laid before the Senate, House bill No. 323 (industrial school bill), action being on final passage.

On motion of Senator Hanger, pending business was suspended to take up, on third reading,

House bill No. 848, A bill to be entitled "An Act to amend Article 5066, Title CIV, Chapter 2, Revised Civil Statutes, relating to the rendition, listing and assessment of property for taxation."

The bill was read a third time, and passed.

Senator Hanger moved to reconsider the vote by which the bill was passed, and to lay that motion on the table.

Tabled.

BILL SIGNED.

The Chair gave notice of signing, and did sign, in the presence of the Senate, after its caption had been read,

Senate bill No. 175, "An Act to amend Section 1 of an act to regulate and limit the expenditure of State, county and local public school funds, and regulate treasurers' reports thereof, approved June 23, 1897."

RESOLUTION.

By Senator James:

Resolved, That the thanks of the Senate are hereby extended to Von Boeckmann, Schutze & Co., State Printers, for their uniform promptness in printing and